

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KRISTINE O'GRADY,

Plaintiff,

V.

TACOMA GENERAL HOSPITAL, a/k/a
MULTICARE MEDICAL CENTER,
TACOMA GENERAL EMERGENCY
MEDICAL CARE, WASHINGTON
CORRECTION CENTER FOR WOMEN'S
HEALTH CLINIC, MARY COLTER, PAM
SAARI, JEFF PERRY.

Defendants.

No. C14-5128 RJB

**ORDER ADOPTING REPORT AND
RECOMMENDATION DISMISSING
PLAINTIFF'S COMPLAINT
WITHOUT PREJUDICE**

This matter comes before the Court on the Report and Recommendation of Magistrate Judge Karen L. Strombom. Dkt. 20. The Magistrate Judge recommends that Plaintiff's 42 U.S.C. § 1983 civil rights action be dismissed without prejudice for failure to state a claim. The Court has considered the Report and Recommendation and objections thereto, and the record herein.

As detailed in the Report and Recommendation, *pro se* Plaintiff has been provided numerous extensions of time and Court guidance so that she may cure the deficiencies in her complaint. See Dkt. 20, Dkt. 18, Dkt. 16, Dkt. 13, and Dkt. 6. Plaintiff has failed to do so and as indicated in the Report and Recommendation, the action is subject to dismissal without prejudice for failure to state a cognizable claim under 42 U.S.C. § 1983. Plaintiff has also failed to provide sufficient facts as to why she did not first exhaust her extra-judicial remedies prior to filing this lawsuit. Failure to exhaust also results in dismissal without prejudice.

The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and **ORDER:**

- (1) The Court adopts the Report and Recommendation (Dkt. 20).
 - (2) This action is **Dismissed without Prejudice** for failure to state a claim.
 - (3) The Clerk is directed to send copies of this Order to Plaintiff and to the Hon. Karen L. Strombom.

DATED this 3rd day of November, 2014.

Robert Bryan

ROBERT J. BRYAN
United States District Judge